

INITIAL STATEMENT OF REASONS

Amend Field Training Program Minimum Content Requirements and Field Training Officer Course Minimum Requirements Commission Procedure D-13

The Commission on Peace Officer Standards and Training (POST) proposes to amend Regulation 1005 and Commission Procedure D-13 to address the following changes:

- Make updates to minimum course content to the Field Training Officer Course and the Field Training Program per Senate Bill 29 (Beall), Peace Officer Training: Mental Health.
- Revise the incorporation by reference statements in Regulation 1005

On October 3, 2015 Governor Brown signed into law Senate Bill 29 (Beall), enacting Penal Code Sections 13515.29, which requires as part of the existing field training officer course at least four hours of training relating to competencies of the field training program and police training program to address how to interact with persons with mental illness or intellectual disability and 13515.295, which requires the review, evaluation and updating of training to address incidents involving people with a mental illness or intellectual disability provided within a field training programs and police training programs. Thereafter, POST facilitated meetings with curriculum advisors and subject matter experts (SME) who recommend changes to existing curriculum. The Commission approved revisions to Regulation 1005 and the Field Training Program Minimum Content Requirements (D-13-3) and the Field Training Officer Course Minimum Requirements (D-13-4) contained within Commission Procedure D-13 (Field Training) at the February 25, 2016 Commission meeting, subject to the Notice of Proposed Regulatory Action process.

As part of the ongoing curriculum review, the following content has been revised to comply with legislative mandates.

Justification

Regulation 1005

The revised effective date in the incorporation by reference statement is necessary for historical accuracy and to ensure utilization of the most recent Commission Procedure D-13 (Field training).

Commission Procedure D-13-3.

The additional language is required in order to delineate, pursuant to the dictates of Penal Code Penal Code § 13515.295, additional training determined by the Committee to be necessary to address incidents involving people with a mental illness or intellectual disability. The proposed revision will make Commission Procedure D-13-3 compliant with Code Penal Code § 13515.295.

Commission Procedure D-13-4

The additional language is necessary to effectuate the requirements of Penal Code § 13515.29 by requiring that the existing Field Training Officer course address how to interact with persons having a mental illness or intellectual disability, including at least four hours of classroom instruction and instructor-led active learning, such as scenario-based training, which shall address issues related to stigma, and shall be culturally relevant and appropriate. The proposed revision will make Commission Procedure D-13-4 compliant with Penal Code § 13515.29.

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Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, Including Small Businesses

The Commission has made an initial determination that this regulatory proposal would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses, as defined by Government Code section 11342.610, because the Commission sets selection and training standards for law enforcement and does not have an impact on California businesses, including small businesses.

Cost Impacts on Representative Private Persons or Businesses

The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

Assessment

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the State of California and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

Considerations of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed, would be as effective, and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of the law.

Economic Impact Analysis

Impact of Jobs/New Business:

The Commission on Peace Officer Standards and Training (POST) sets law enforcement selection and training standards for its member law enforcement agencies. Participation in POST programs, and adherence to POST regulations, is voluntary and limited to law enforcement agencies that are governmental entities. The proposed regulatory revisions pertain exclusively to peace officer training standards and requirements regarding mental illness and intellectual disability. As a result, the proposed revisions will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

Assessment:

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

Benefits of Proposed Regulation:

The proposed revisions address statutory mandates designed to make peace officers more effective in identifying and interacting with persons having mental illness or intellectual disability and in addressing incidents involving such individuals. The proposed revisions will be effective

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in preserving peace, and protecting the public health, safety and welfare of California. The proposed revisions will have no impact on worker safety or the State's environment.